

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 297 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE A.K.TRIVEDI

- =====
1. Whether Reporters of Local Papers may be allowed  
to see the judgements? Yes
  2. To be referred to the Reporter or not?
  3. Whether Their Lordships wish to see the fair copy  
of the judgement?
  4. Whether this case involves a substantial question  
of law as to the interpretation of the Constitution  
of India, 1950 of any Order made thereunder?
  5. Whether it is to be circulated to the Civil Judge?  
2 to 5 No

-----  
BHANUPRASAD KANTILAL SHRIMALI

Versus

STATE OF GUJARAT

-----  
Appearance:

MR MAHENDRA K PATEL for Petitioner

MRS BR GAJJAR, APP for Respondents No. 1 & 2

-----  
CORAM : MR.JUSTICE A.K.TRIVEDI

Date of decision: 05/05/98

ORAL JUDGEMENT

Learned Advocate appearing on behalf of the petitioner has agreed that present petitioner who is a prisoner in jail is acquitted in respect to complaint filed against him by one Babubhai Shaikh under Section 506(2) of the IPC. According to petitioner said complaint was false and, therefore, petitioner has prayed

for direction to the police authority to take step against complainant of the said complaint. The petitioner can instruct appointed advocate and available civil or criminal remedy under the general law could be resorted. Learned APP Mrs. B.R. Gajjar has stated at the bar that complaint given by present petitioner against said Babubhai Shaikh and others has been investigated and appropriate proceedings are under process and report has been sent on 29th May, 1997. Hence, petitioner shall be at liberty to avail appropriate proceedings before the competent court either to claim damages or for appropriate relief under criminal law and as such the present petition being infructuous and the same stands disposed of accordingly with no order as to costs. Notice is discharged.

-----  
p.n.nair